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ABSTRACT

In its examination of the circumstances surrounding recent disorders and the closing of state colleges and universities in Ohio, the select committee held hearings at each institution, received testimony and exhibits from persons within and outside the academic community, and gathered information from studies conducted in other states. Directed to identify the main causes of student unrest, the committee found that most specific underlying reasons involve problems that arise from and must be solved by universities themselves. Findings and recommendations are presented in the areas of: standards of conduct and discipline, faculty rights and obligations, university operations, campus security and law enforcement, and organized efforts to disrupt. (JS)

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INTERIM REPORT
OF THE

ROBERT E. LEVITT
STATE REPRESENTATIVE
DISTRICT 91

SELECT COMMITTEE TO INVESTIGATE CAMPUS DISTURBANCES

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TO THE

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108TH OHIO GENERAL ASSEMBLY

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PURSUANT TO AM. SUB. S. CON. R. NO. 34

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As directed by Amended Substitute Senate Concurrent Resolution No. 34, adopted June 1, 1970, your select committee to investigate campus disturbances has been examining the facts and circumstances surrounding the recent disorders and closing of state colleges and universities in Ohio. Hearings have been held at each state and state-supported university, and at the Statehouse. Volumes of testimony and exhibits have been received, from hundreds of persons from both within and outside academic communities, and representing the entire range of involvement and concern, knowledge and opinion. Your committee has also received information on the subject of campus unrest from other states studying the problem, and from various other sources. In addition, it has examined materials prepared by special staff and by staff of the Legislative Service Commission, as well as others.

Pursuant to its charge, the committee directed its main inquiry to pinpointing the causes of student unrest. It was found that most of the specific underlying causes involve problems arising from within the academic communities themselves. While pollution, poverty, women's rights, racism, the Southeast

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Asian war, and other issues of national and international prominence are sources of deep and legitimate concern to students, just as they are sources of concern to everyone, they are by no means the exclusive origins of student restiveness. More closely related to campus unrest are frustrations over problems frequently peculiar to academic communities, and sometimes peculiar to individual campuses. Issues of national and international prominence, however, are often the catalysts which prompt some students to act out their frustrations in unruly behavior.

Although campus problems appear to be the primary causes of student unrest, it should be emphasized that they do not apply to or affect all campuses alike. This interim report is restricted, however, to a general discussion of the more immediate problems, and, with a few exceptions, no attempt is made to differentiate among universities.

Many of the problems mentioned in this report have been building for the past decade or so. In many instances, concerted efforts of administrators, faculty, and students have successfully resolved problems as they have arisen, and the committee commends these efforts. Obviously, however, many serious problems have so far eluded successful solution by the academic communities.

The committee recognizes that most of the problems besetting our campuses can be solved without legislative action, inasmuch as existing law grants broad powers to state university

authorities to govern the universities. It is therefore apparent 57
that legislative mandates aimed at solving campus problems must 58
amount in most cases to limitations on the power of the 59
universities to manage their own internal affairs. Moreover, 60
it is undesirable for any legislature to attempt the actual 61
management of the universities. 62

It is appropriate, therefore, that the academic communities 63
themselves solve those problems for which the remedies are 64
within their power to administer. Failure will mean total loss 66
of public confidence in the ability of administrators to govern 67
the universities, of faculty members to fulfill their obligations 68
as educators, and of students to pursue their studies with 69
diligence, mature judgment, and self-restraint. In that 70
melancholy event, direct legislative involvement would be 71
inevitable.

It should be emphasized in the strongest possible terms 72
that however enormous a problem appears, whatever the vexation 73
it causes, however slow its solution seems to be in forthcoming, 74
it neither justifies nor excuses disruption or violence. Such 75
conduct not only creates problems in itself, but also prevents 76
rational assessment of the justice of particular grievances, 77
and, in a larger sense, is destructive of the true purposes of 78
a university. Those guilty of such conduct do not belong in 79
the academic community, and should be excluded without 80
equivocation.

Also, debate and expressions of concern by members of the 82
academic community over political and social issues are not 83
only legally protected activities, but are encouraged and 84
expected. As an institution, however, a state university should 86
not be used as a political instrument -- such use is incompatible 88
with its public character. No matter how representative of the 89
academic community they may be, those who attempt to politicize 90
a state university seek the betrayal of its broader 91
responsibility to all the citizens of this state, and hinder 92
fulfillment of its primary mission of education. 93

Finally, it should be made clear that although the 93
potential for mass disorder may have abated somewhat over the 94
summer, evidence indicates the existence of organized efforts 95
by a few persons to destroy our universities, and there is a 96
very real possibility that attempts at disruption and violence 97
will be renewed. To prevent this, each member of the academic 98
community must avoid involvement with any person or group holding 99
that such tactics are proper or necessary tools of reform. 100
Each member must exercise continuing vigilance to see that his 101
own expressions of legitimate concern are not turned to the use 102
of any such person or group. 103

Many facets of the subject of campus unrest require 104
further, intensive examination. In addition, this committee, 105
on behalf of the General Assembly, shall continue to observe 106
the progress being made by the academic communities in effecting 107
internal reforms, and to remain alert to possible future acts 108

of disruption and violence. As the fall term is now upon us, 107
however, your committee considers it timely to state those 108
tentative findings and conclusions dictated by the evidence now 110
in hand. Accordingly, your committee respectfully submits the 111
following as its interim report, pending further study.

1. Standards of Conduct and Discipline 114

A. Findings. 116

1. The committee found a substantial lack of unanimity 118
among and within academic communities as to the minimum standards 119
of conduct to be expected of students. In addition, there is 121
some confusion on the part of administrators and faculty members 122
as to their duties and responsibilities in providing guidance 123
and leadership in the enforcement of proper conduct. Further, 124
there is a marked tendency to excuse or ignore misconduct. 125
Consequently, there is a significant amount of equivocation 127
with respect to imposing discipline for misconduct, and, when 128
disciplinary action is taken, an inclination to bow to pressures 129
to grant amnesty.

2. Substantial testimony revealed that academic 130
communities often attempt to shield their members from 132
prosecution for criminal conduct. This is manifested most often 133
by a reluctance to report even some serious crimes to law 134
enforcement authorities. There is also a widespread 135
misconception that criminal prosecution does, or should, preclude 136
university disciplinary action, and that the academic community

has no legitimate concern with the off-campus conduct of its 137
members. In cases where it is determined that particular 138
criminal conduct of a student ought to be the subject of 139
disciplinary action, the usual practice is to make such action 140
dependent upon the outcome of criminal prosecution, despite the 141
fact that the offender frequently may still be guilty of 142
misconduct meriting university disciplinary action even though 143
he is found not guilty of a specific criminal offense. 144

3. It was found that, among universities, there is often 146
a vast difference in the range and application of sanctions for 147
misconduct. Although it is legally permissible and may be 148
appropriate in some cases, summary suspension is seldom used. 149
It was also found that Ohio law is not clear that students 150
guilty of serious misconduct should be denied state financial
assistance.

4. The committee found that disciplinary procedures vary 151
considerably among institutions, but that all appear to be 152
cumbersome in some respects, and particularly ill-suited to 154
handling mass misconduct, such as ordinarily occurs during a
campus disturbance. Also, the manner in which due process 155
requirements in disciplinary matters are met varies, but most 156
universities have a tendency to adopt the elaborate requirements 157
of criminal due process, despite the fact that established legal 158
standards do not impose such requirements in an academic setting. 159

5. Although the disciplinary procedure outlined in Am. Sub. H. B. 1219, 108th General Assembly, applies only in the case of arrest for enumerated crimes committed under specific circumstances, it was found that the Act is commonly misconstrued as providing a complete substitute for, rather than a supplement to, established university disciplinary authority with respect to the enumerated crimes, whether or not arrest for a criminal offense is involved. 161
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B. Recommendations. 170

1. The committee recommends the adoption of a code of minimum standards of conduct and discipline, applicable to all students in state or state-supported institutions of higher education. This might be done by direct legislative action, by requiring the Board of Regents to promulgate such a code, or by requiring that universities submit proposed codes to the Board of Regents for final approval for purposes of standardization. 173
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The code should specify minimum standards of conduct for students, the range of sanctions which may be applied for misconduct as well as guidelines for imposing such sanctions, and model disciplinary procedures designed to insure both fundamental fairness and dispatch. The code should also require universities to provide competent personnel for its enforcement. 181
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The minimum standards of behavior contained in the code should at least provide that students are required: to abide 188
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by the law and the rules of the institution; and to refrain 189
from culpable conduct which tends to disrupt lawful activities 190
at such institution, interfere with the rights of others, or 191
bring discredit upon the academic community. 192

The range of sanctions provided in the code should at 194
least include expulsion, summary suspension, suspension, 195
disciplinary probation, reprimand, and warning. The guidelines 196
for imposing disciplinary sanctions should be designed to impose 197
sanctions commensurate with the gravity of the misconduct, but 198
it should be provided that at least the following merit expulsion 199
or suspension: felonious misconduct; misconduct involving moral 200
turpitude; drug abuse; misconduct involving or threatening 201
disruption or injury to persons or property; cheating; 202
plagiarism; and persistent misconduct whatever its gravity. 203
The guidelines should also provide that summary suspension may 204
be imposed when a university official having disciplinary 205
authority witnesses the offense, or when any such official has 206
reasonable cause to believe that the good order and discipline 207
of the institution or the safety of persons or property require 208
that the offender be summarily suspended.

The code should also provide for the following due process 210
requirements: reasonable notice to the accused of the misconduct 211
with which he is charged; a fair opportunity to defend himself 212
before an impartial board or disciplinary officer, and one 213
administrative review to determine the regularity of the 214

proceedings and of the sanctions imposed. When summary	215
suspension has been imposed, the hearing and review should	216
follow promptly.	
The code should specify that disciplinary proceedings	218
must be expeditious, and that during the pendency of any such	219
proceedings the award of any grades, course credits, honors,	220
or degrees shall be stayed. The code should make it clear that	221
university discipline is an administrative matter, entirely	222
separate from the criminal law. University disciplinary action	223
and criminal prosecution are independent proceedings, and neither	224
depends upon the outcome of the other, substantively,	225
procedurally, or in point of time. The imposition of a criminal	226
penalty does not and should not prevent the imposition of	227
disciplinary sanctions, or vice versa.	
2. Financial assistance should not be given to any student	228
guilty of serious misconduct, regardless of his academic	230
standing. Because of the many different kinds of assistance	231
available, and the interplay of state and federal statutes and	232
regulations in this area, further study is needed to determine	233
precisely what legislation may be necessary to effect this	234
policy.	
3. A general statute, similar to statutes in effect in	235
a number of states, should be enacted requiring the reporting	236
of serious criminal conduct to appropriate law enforcement	237
authorities, and providing a penalty for the deliberate and	238

unexcused failure to do so.

4. The committee reminds all administrators that Am. Sub. H. B. 1219, 108th General Assembly, does not replace normal university disciplinary procedures, but supplements such procedures only when an arrest is made for a comparatively narrow range of crimes committed under specific circumstances. Furthermore, such act does not provide for summary suspension. The committee urges all universities to immediately review their codes of conduct and discipline, in light of both section 3345.21 of the Revised Code and Am. Sub. H. B. 1219. Such codes should provide for summary suspension as well as other sanctions, and should cover the types of conduct contained in Am. Sub. H. B. 1219.

II. Faculty Rights and Obligations

A. Findings.

1. The committee received a number of complaints that some faculty members and teaching assistants have been derelict in their responsibilities to meet instructional obligations, to provide guidance in proper conduct to students, and to maintain order. Instances were reported where faculty members had condoned or actively encouraged disruptive activities by students and had even participated in such activities, had failed to teach the scheduled course content, had failed without excuse to meet scheduled classes, had made unwarranted and repeated use of obscene language in open class, and before other ..

students had ridiculed and degraded students holding political 269
and social opinions opposed to their own. 270

2. It was found that although responsible faculty members 271
generally deplore derelictions in professional obligations by 272
their colleagues, there is little or no enforcement of 273
professional discipline. In part, this stems from a fear that 275
discipline in such matters would interfere with academic freedom. 276
The committee also found lack of uniformity in disciplinary 277
procedures for faculty misconduct.

3. The committee received a substantial amount of 278
testimony and evidence revealing a marked tendency to de- 279
emphasize teaching in favor of research and publication. In 280
part, this appears due to the fact that research and publication, 281
and not teaching, weigh most heavily in gaining professional 282
recognition and advancement. Since teaching and counseling 283
graduate students provide the best opportunities for research 284
and publication, it was found that graduate students tend to 285
monopolize a disproportionate share of many faculty members' 286
time, and that undergraduate courses, and particularly freshman 287
and sophomore courses, tend to be left more to junior faculty 288
members and teaching assistants. 289

4. A number of complaints were received concerning the 290
quality of the instruction in certain courses, and it appeared 291
that such complaints most often centered about junior faculty 292
members and teaching assistants. It was found that university 293

teachers, unlike elementary and secondary school teachers, are 294
not required to undergo even rudimentary training in techniques, 295
and whether or not they have any training or experience in 296
teaching at the outset is usually a matter of chance. Further, 297
they receive little or no supervision in their instructional 299
duties.

5. One criticism frequently leveled at faculty members 300
is that many do not make themselves sufficiently accessible to 301
students for guidance and consultation. The committee found 303
justification for this criticism, but it also found that most 304
faculty members conscientiously try to hold themselves available 305
to students, but that students frequently do not trouble 306
themselves to seek out faculty members for consultation. Also, 307
large class size sometimes makes it impossible for faculty 308
members to give more than token individual attention to students. 309

6. It was noted that in many universities the employment, 310
advancement, and discharge of faculty members has largely been 311
assumed by department chairmen and academic deans, with little 312
supervision being exercised from higher administrative levels. 313
Further, the methods for monitoring the performance of faculty 314
members are haphazard, and at many institutions apparently 315
little or nothing is done in this regard. Classroom performance 316
is seldom monitored. Some universities provide for student 317
critique of faculty performance, and some do not. 318

7. The committee found that although in most universities tenure is granted to faculty members only after they have completed a more or less extended period of service, in some cases it is granted without any probationary period at the institution granting it. It was also suggested to the committee that tenure is used to protect a faculty member from the consequences of incompetence or misconduct.	319 320 321 322 323 324 325
8. It was asserted to the committee that some research projects are undertaken by the universities, which projects are either unrelated to the educational function, or hinder its performance in some degree. In this connection, it was stated that in many cases time spent on research by faculty members is time which would do greater service if spent in teaching. At one university, it was revealed that nearly one-third of the total complement of faculty members do not teach, because their full time is occupied in research.	326 327 328 329 330 331 332 333 334
B. <u>Recommendations.</u>	337
1. The committee recommends the adoption of a code of minimum standards of professional conduct and discipline. Like the code of student conduct and discipline recommended in this report, such code might be adopted by direct legislative action, or the Board of Regents might be required to promulgate such a code, or universities might be required to submit proposed codes to the Board of Regents for final approval for purposes of standardization.	339 341 342 343 344 345 346 347

Such code should set forth the obligations of faculty 348
members to their schools, with particular reference to their 349
instructional obligations, and also to their duties to provide 351
students with guidance in proper standards of conduct, and to 352
maintain order. The code should define academic freedom, and 353
state with some particularity the rights and responsibilities 354
embraced by the concept. Such code should also reflect the 355
fact that the personal behavior of faculty members cannot 356
entirely be disassociated from their professional lives. 357

The code should provide appropriate sanctions for 359
professional and personal misconduct, together with guidelines 360
for imposing such sanctions.

Adequate provision should be made in such code to insure 361
that faculty members accused of misconduct have reasonable 362
notice of the charges against them, are afforded a fair 363
opportunity to defend themselves before an impartial board or 364
officer, and that one administrative review is available to 365
determine the regularity of the proceedings and the sanctions 366
imposed. Provision should be made for the privacy of the 367
proceedings at the accused's request. 368

The code of faculty conduct and discipline should provide 370
that whether an offender is tenured or not is irrelevant to the 371
imposition of appropriate sanctions for misconduct.

2. The committee recommends that tenure not be granted 373
to a faculty member until he has demonstrated his competence 374

and suitability during a probationary period at such institution. 375
In the case of an experienced faculty member coming from another 376
institution, the probationary period should not be less than 377
one academic year, with longer minimum periods specified in 378
other cases.

3. The committee recommends that at least some instruction 379
in teaching techniques or experience in teaching should be 380
required to qualify prospective faculty members and teaching 381
assistants for their positions. Senior faculty members charged 382
with supervising junior faculty members and teaching assistants 383
should take appropriate measures to monitor and evaluate the 384
performance of those under their supervision, and to insure 385
that they acquire increasing competence as teachers. 386

4. The committee recommends that universities immediately 387
evaluate the effectiveness of their respective policies, methods, 388
and procedures in regard to the accessibility to students of 389
not only faculty members but administrators at all levels, for 390
guidance and consultation. Every effort should be made to 391
maintain a high level of personal contact and to provide students 392
with as much personal attention as possible. In this regard, 393
the committee reminds administrators and faculty members that 394
it considers undergraduate programs to be of primary importance 395
to any university, and suggests that senior faculty members 396
should give increased attention to such programs, and should 397
give particular attention to freshmen and sophomores, who in 398

the committee's opinion are often those most in need of mature 399
guidance and counseling. Further, the committee suggests that 400
universities should emphasize their instructional functions, 401
and consider research functions as important, but clearly 402
secondary.

5. The committee recommends that additional study be 404
given to the employment, advancement, performance, and discharge 405
of faculty members, with a view to determining the best methods 406
of insuring that adequate supervision is exercised in such 407
matters, that teaching performance is given due recognition, 408
and that faculty members have at the outset, and maintain, a 409
high level of competence. In this connection, also, the 410
alternatives for monitoring faculty performance should be
examined.

6. The committee recommends that further study be given 411
to research projects being carried on by the universities, with 413
particular attention to: the origins of such projects; how 414
such projects relate to the main mission of the university; the 415
number of faculty members engaged in such projects; and the 416
extent to which research projects may unduly limit the
availability of faculty for teaching duties. 417

<u>III. University Operations</u>	420
<u>A. Findings.</u>	422
1. The committee received substantial testimony and	424
evidence indicating that while large size may of itself create	425
problems, many of the problems currently besetting our campuses	426
are directly traceable to rapid growth, coupled with a lag in	428
the development of administrative and academic policies and	429
procedures necessary to effectively assimilate the greater	430
number of students.	
A number of factors, in addition to population growth,	431
were cited as contributing to the size and rapid growth of state	433
universities. These included the open admissions policy	434
contained in state law, an inclination on the part of parents	435
and students to opt for four-year degree programs, shortcomings	436
in career guidance programs on the secondary school level, and	437
the method of allocating appropriations among the universities.	438
The open admissions policy contained in Ohio law requires	439
state universities to admit any resident who is a graduate of	440
an accredited high school, regardless of his academic promise.	441
Although this requirement undoubtedly affects the growth and	442
size of state universities, the committee observed that its	443
full potential impact is modified in practice. For example,	445
students whose academic standing or promise is low are frequently	446
placed at branch campuses or in special programs, or granted	447
a delayed admission. Also, there is an early and high attrition	448

rate due to academic failure. 449

Another factor contributing to the growth and size of 450
state universities was stated to be a tendency of students and 451
their parents to look upon a bachelor's degree as a prerequisite 452
to future success, and thus to overlook the educational and 453
career possibilities in two-year associate's degree and technical 455
training programs. It was asserted that career guidance programs 456
in the secondary schools place undue emphasis on four-year 457
college degrees, but that at the same time many high school 458
graduates entering four-year degree programs are not suitably 458
prepared to undertake them. It appears probable that many 459
students, for whom other types of institutions might be better 460
suited to their career goals, educational needs, and aptitudes, 461
are prompted by these conditions to seek admission to the 462
universities.

Another element to which the growth and size of the state 463
universities was attributed is the method of allocating state 464
funds among these institutions on a per student basis with a 465
premium for graduate students. This encourages the universities 466
to enlarge their graduate programs as well as increase their 467
overall enrollment, in order to secure more funds, despite the 468
risk that the increased size might be at least temporarily 469
unmanageable.

The committee noted that the Ohio Board of Regents, in 470
connection with its duty to plan the course of higher education 471

in Ohio, is engaged in a study involving, among other things, 473
the effects and relationships of the foregoing factors.

2. The committee found that an increasingly annoying 474
problem with respect to university administration is the 475
diffusion of authority, whereby major decision-making functions 476
are parcelled out to committees variously composed of students, 477
faculty members, and administrators. Although any such committee 478
can legally have only an advisory status, it was found that 479
their decisions often are relied upon as substitutes for 480
decisions on the part of the administrators having the legal 481
responsibility and authority for making them. In part, this 482
appears due to bona fide efforts by university administrators 483
to secure necessary information and advice from faculty and 484
students. In part, it appears to represent administrative 485
surrender to increasingly clamorous demands by faculty and 486
students for control of university affairs. It was pointed out 487
that such committees frequently deal with matters beyond the 488
experience or competence of some or all of their members, and 489
require weeks and even months to reach decisions which a 490
competent administrator might make in a matter of hours or days. 491
Further, it appeared that such committees often exceed the scope 492
of their commission. A number of instances were related in 493
which university administrators had been subjected to immoderate 494
abuse for rejecting the recommendation of a committee, or for 495
taking a course of action disapproved by, or without the prior

approval of, a body of students and faculty. As a result, many 496
administrators appear to have found it more and more expedient 497
to delegate many responsibilities and de facto authority to 498
such bodies.

3. The complaint voiced most often in the course of the 499
committee's hearings was that there is a lack of communications 500
among and between the members of the academic community. The 502
committee finds that administrators, faculty members, and 503
students must all share a portion of the responsibility for the 504
failure. On one campus, an instance of failure of proper liaison 505
of faculty members among themselves and with administrators, 506
was possibly a key factor in renewed violence and the ultimate 507
closing of the university. In several other cases, feelings 508
were bitter over apparent administrative failure to recognize 509
or deal with various campus problems, when in fact the failure 510
was not over the problems themselves but a failure of public 511
relations, and particularly of keeping students reliably 512
informed. At some universities, for example, the administrations 513
appear unable to effectively use available campus news media. 514
Further, instances were reported in which responsible students 515
attempted to secure from university officials information 516
necessary to prove or disprove various accusations by radical 517
elements concerning university affairs, but were unable to 518
secure such information due to administrative inertia or outright 519
antagonism. The end result was that the disruptive elements 520

received undeserved support, because many students interpreted 522
the posture of university officials in such cases as lending 523
credibility to the accusation. The committee observed that the 524
level of disruption at a university appears to be inversely 525
proportional to the degree of success with which administrators, 526
faculty members, and students rationally exchange and evaluate 527
information and opinions. The committee also observed that 528
many students who complained that the university did not listen 529
to them based their accusations on the fact that the university 530
disagreed with them, had not acceded to their demands, or had 531
not acted on reasonable suggestions in an unreasonably short 532
time.

4. The committee found that at some universities, course 532
registrations are on a first-come-first-served basis and limited 533
by quota, and this works a hardship on some students who are 534
unable to get into a course but need it to graduate and are 535
obliged to attend school an extra quarter or more. To some 536
extent, this problem arises out of a shortage of available 537
faculty coupled with large overall enrollment. In part, the 538
problem is due to inflexible or antiquated procedures for 539
forecasting course demand and registering students.

5. It was found that overcrowded and substandard housing 540
is a serious source of irritation to students on many campuses. 541
Dormitory rooms frequently house half again or double the number 543
of occupants for which they were originally designed. In 544

addition, the committee heard complaints that off-campus housing 545
is scarce, and that high rents are charged for sub-standard 546
quarters.

6. The committee found substantial evidence that drug 547
abuse is a serious problem at universities in this state. 548
Instances were reported of faculty members encouraging drug 549
use, and even engaging in illicit drug traffic. At least one 550
instance is known of drugs being distributed openly and in 551
quantity in the midst of a large, unruly gathering. It was 552
also observed that when apparent drug abuse or drug traffic is 553
observed, it is frequently not reported to law enforcement 554
authorities. Although a few universities are making efforts 555
to provide counselling for drug users, the problem generally 556
is ignored on other campuses.

7. A number of witnesses asserted that the movement to 557
close the universities last May received more support than it 558
would have received had the universities insisted that no credit 559
could be given for incomplete work. Instead, various devices 560
were used to permit students to receive grades and course 561
credits, even though course work was stopped short of normal 562
completion when the institutions closed. In addition, on some 563
campuses, fee refunds were made. The committee notes that 564
pursuant to a recent amendment to its rules, the Board of Regents 565
intends to withdraw all state funds from universities shut down 566
by reason of disorder.

B. <u>Recommendations.</u>	570
1. The committee recommends additional in-depth study	573
to determine, among other things: the effect campus size has	575
on academic quality and administrative operations; whether the	576
open admissions policy contained in Ohio law should be retained,	
modified, or repealed; whether individual universities should	578
be assigned areas of emphasis in educational programs; the	579
impact of instructional grant programs; how and in what way the	580
role of branch campuses, community colleges, technical	581
institutes, and other educational institutions can or should	583
be expanded; and how impetus may be given to two-year programs	
for those whose educational needs do not require four-year	584
programs. In addition, an examination should be made to	587
determine the effectiveness of secondary schools in preparing	588
students for higher education, and in guiding them into advanced	589
programs best suited to their goals, needs, and aptitudes.	590
In connection with these and other questions related to	592
the effectiveness of higher education in Ohio, the committee	593
requests that the Board of Regents accelerate its studies under	594
H. R. 180, H. R. 245, and related areas, and make its report	595
to the General Assembly at the earliest practicable moment.	596
2. It is recommended that boards of trustees take	597
immediate action to eliminate the diffusion of authority and	598
responsibility in the administration of the universities. Areas	599
in which responsibility and authority may be delegated, and to	600

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whom, should be clearly delineated, and appropriate procedures 601
instituted to insure that delegates properly and promptly perform 602
their assigned tasks. There should be no question that ultimate 603
authority and responsibility to govern the university rests 604
with the board of trustees, and that the president is the 605
university's chief executive. While committees composed of 606
students or faculty, or both, are useful forums whereby the 607
governing authorities of a university may gain perspective on 608
the needs of the academic community, it should be made clear 609
that such bodies can only function in an advisory capacity, and 610
have no authority to mandate action. They may request and 611
suggest, but not require. Administrators should have no 612
hesitation in rejecting the advice of any such committee if in 613
their judgment such advice would not be in the best interests 614
of the academic community. Further, administrators should not 615
refrain from taking necessary action pending advice from any 616
committee appearing disposed to inordinate delay. 617

3. The committee recommends that administrators use all 618
the methods, techniques, and media at their disposal to see 619
that faculty members and students are regularly and reliably 620
informed of policies, decisions, and work in progress on issues 621
and problems of importance to the academic community. When 622
students or faculty members seek information relating to matters 623
of interest on campus, the committee sees little reason for 624
administrators to be secretive. In addition, administrators 625

24

should insure that they are currently informed on the problems 626
and needs of the academic community and all its members. 627
Further, students and faculty members should take an active and 628
responsible part in university affairs, and should also take 629
the initiative to see that administrators are kept informed of 630
their problems and needs, as well as those of the academic 631
community as a whole, bearing in mind the necessity for acting 632
toward others at all times with courtesy, consideration, and 633
respect.

4. The committee urges that efforts to relieve the 634
problems of overcrowded classes, registration, and close-out 635
of registration be accelerated. Computer technology and other 637
modern methods and equipment should be utilized to provide 638
effective pre-registration, and to aid in forecasting course 639
demand. Priority should be accorded advanced students in 640
registering for courses required for their graduation.

5. The committee recommends that universities should not 641
permit any dormitory room to be occupied in excess of its 642
designed occupancy. Concurrently, the committee recommends 644
that further study be given to the operation of Ohio's dormitory 645
financing law, to determine its precise impact on the problem 646
of overcrowded housing. In addition, the committee suggests that 647

universities should take appropriate action, within their 652
authority, to regulate off-campus housing of students, to see 653
that such housing meets reasonable standards of decency at fair 654
rentals.

6. The committee recommends that all universities 655
institute an immediate, intensive, and continuing program to 656
eliminate drug abuse on campus. Such program should at least 657
include instruction in recognizing the signs of drug abuse, in 658
the dangers of the practice, and in the treatment and 659
rehabilitation facilities and programs now available in Ohio. 660
The necessity for reporting drug use and traffic to appropriate 661
authorities should be stressed.

7. The committee will give further study to the question 662
of prohibiting the awarding of grades or course credits for 663
work not regularly completed, and, in the case of a university 664
forced to close because of disorder, of the propriety of 665
refunding fees for an unfinished academic period, and of paying 666
wages and salaries, except to essential personnel. 668

IV Campus Security and Law Enforcement 671

A. Findings. 673

1. The committee found that although there are many 676
competent men employed as campus security officers, as a general 677
rule campus security officers are underpaid and insufficiently 678
trained. In addition, campus security agencies are seriously 680
understaffed.

2. The committee also found that although campus security 682
officers have police responsibilities, their authority to make 683
decisions normally associated with such responsibilities is in 684
question, since they are answerable to a university administrator 685
or, in some cases, to several administrators at once. A number 686
of instances were reported of security officers observing 687
criminal conduct and placing the offender under arrest, but 688
being subsequently directed to drop all charges. One such 689
instance involved serious, multiple acts of vandalism. In a 690
similar vein, the committee found that some university 691
authorities often discourage local law enforcement officers 692
from coming onto campus to enforce the law. In one instance, 693
city officials and university authorities had agreed, in writing, 694
that city police would not come onto campus to enforce the law 695
without the prior approval of university officials, with certain 696
exceptions. 697

3. Much testimony was received on the effectiveness of 698
the Highway Patrol in dealing with campus disturbances, even 699
though its numbers were comparatively small at each place where 700
it was employed. The training and discipline of the Patrol was 701
the subject of almost universally favorable comment, and it was 702
repeatedly suggested that its jurisdiction and strength be 703
expanded to aid in dealing with disorder not only on campuses, 704
but also in adjacent and related areas. It was noted by the 705
committee that the Patrol's existing jurisdiction in this respect 706

is strictly limited by law. 705

4. The committee noted that Ohio law provides that 706
concurrent duty and authority to enforce the law on state 707
university campuses rests with campus security forces, municipal 709
police, the county sheriff, and the Highway Patrol, with the 710
Ohio National Guard to act in aid of these when directed. The 711
law, however, does not make clear the duty and authority of 712
such agencies when two or more are engaged in law enforcement. 712

The committee found that the absence of a clear understanding 714
of duties for the various agencies involved on campuses during 715
the May disorders as well as the frequent absence of effective 716
prior planning, often resulted in serious lack of coordination 717
among law enforcement agencies, and a consequent reduction in 718
the effectiveness of their overall efforts. 718

5. It was found that intelligence -- collection, 719
collation, evaluation, and dissemination of information -- is 720
a vital police function, and a necessary part of forecasting 721
and preventing or controlling disorders. In many police 722
agencies, however, this function is either not performed, or 723
is performed by non-specialists in addition to their other 724
duties. Statewide, the intelligence function is inadequate. 725

6. The committee found that identification of offenders 726

during a disorder is a difficult problem in law enforcement. 727
The most successful efforts in this regard occurred at those 728
campuses where photographers were employed throughout the 730
disturbances in May.

7. It was found that the free access to campus of persons 732
who have no legitimate business there is the source of a number 733
of problems not only during campus disturbances, but at other 734
times as well. Judging by arrest records, over half of the 735
participants in some of the recent disorders were nonstudents. 736
Around many of the larger campuses are enclaves of persons 738
living in what is termed a "subculture." It was reported to 739
the committee that these enclaves present a disproportionate 740
number of police problems, and that their members make free use 741
of the nearby campuses. Also, it was reported to the committee, 742
that non-students are sometimes living in dormitories, and make 743
use of university eating facilities. The committee notes that 744
Am. Sub. H. B. 1219 addresses itself to trespass on campuses 745
during a disorder. It was frequently suggested to the committee, 746
however, that the trespass laws of Ohio are inadequate to control 747
unauthorized access to university property. 748

B. Recommendations. 751

1. The committee recommends legislation designed to 753
provide a high level of competence in campus security forces, 754
by establishing minimum training and other requirements. Such 756
legislation should also provide that the chief of campus security 758

must be an experienced, professional law enforcement officer. 759
Also, it should be clearly provided that campus security officers 760
have the same obligation and authority to arrest offenders as 761
other law enforcement officers, and university administrators 762
and faculty members should be prohibited by law from interfering 763
with the normal processes of arrest and prosecution for criminal 764
conduct. Such legislation should also encourage cooperation 765
between university authorities and local government officials, 766
but it should be clear that campus authorities have no authority 767
to hinder or prevent local law enforcement officers from 768
enforcing the law within their jurisdictions, including on 769
campus. 770

2. The committee recommends that all universities 771
immediately evaluate their campus security program, with a view 773
to increasing the number and competence of security forces to 774
an effective level. Pay scales for officers should be designed 775
to be competitive with pay scales for other law enforcement 776
officers. 777

3. The committee recommends that the strength of the 777
State Highway Patrol immediately be expanded. In addition, the 779
committee recommends legislation to expand the jurisdiction of 780
the Highway Patrol to permit it to operate effectively during 781
campus disorders. 782

4. The committee recommends legislation clarifying the 782
duties and authority of the various law enforcement agencies 783

having jurisdiction on state university campuses. Such 784
legislation should spell out the duties and authority of each 785
of such agencies when more than one is involved in a police 786
action, and should require all such agencies to coordinate their 788
efforts in advance through planning.

5. The committee recommends legislation providing for 789
the establishment and efficient operation of an intelligence 790
network within and among all law enforcement agencies in Ohio, 791
and providing for the collection, collation, evaluation, and 793
dissemination of information on criminal activity in this state. 794
Such network should be coordinated with similar efforts in other 795
states and the federal government. In addition, the committee 796
strongly recommends that intelligence services now being 797
performed by the State Highway Patrol immediately be expanded 798
and intensified, and that particular emphasis be placed on 799
information related to campus unrest and the possibility of 800
future disruption.

6. The committee recommends that law enforcement agencies, 801
including campus security forces, maintain photographers on 802
call for service during disorders, to aid in the subsequent 803
identification of offenders. 804

7. The committee recommends legislation to control 805
trespass upon university property, for use as a law enforcement 806
tool in denying access to campuses to persons having no 807
legitimate business there. 808

V Organized Efforts to Disrupt 811A. Finding. 813

The committee received evidence indicating that the May disorders were not entirely spontaneous, but were in part the result of deliberate, planned attempts at fomenting violence. There was testimony that the number of persons involved in deliberate violence is small, but that some are well-trained and financed, and that elements of a conspiracy exist. Also, there is information that attempts will be made to renew disruption and violence at the universities.

B. Recommendation. 826

The committee recommends that further, intensive, immediate study be given to determine whether and to what extent the recent campus disorders were planned or managed, to what extent, if any, such efforts are part of a statewide or nationwide conspiracy. In addition, an investigation should be instituted, giving particular attention to evidence of plans for future disruptions. The Ohio laws respecting incitement, criminal syndicalism, and conspiracy should be studied to determine their adequacy with respect to the types of conduct found to be involved.

VI Conclusion

In its interim report, the committee has stated that 839
further study is needed at least in the following areas: the 840
nature of legislation needed to insure that financial assistance 841
is not wasted on students guilty of serious misconduct 842
(Recommendation I-B-2); the employment, advancement, performance, 843
and dismissal of faculty (Recommendation II-B-5); the conflict 844
between teaching and research (Recommendation II-B-6); questions 845
related to the future directions of higher education in Ohio 846
(Recommendation III-B-1); dormitory financing (Recommendation 847
III-B-5); the awarding of grades and course credits for 848
incomplete work, and the refund of fees when campuses are closed 849
due to disorder (Recommendation III-B-7); and evidence of a 850
conspiracy to disrupt higher education (Recommendation V-B). 851

The committee has further stated, with respect to those 852
campus problems which ought to be solved by the academic 853
communities themselves, but which are not or cannot be solved 854
by them, that legislative solutions will be necessary. 855

In addition to the issues discussed in this interim report, 857
there are other matters which have been before the committee, 858
and to which the committee will be giving further consideration. 859

Accordingly, the committee will continue its work, and 860
in this connection will visit the campuses of the state 861
universities, first, to pursue those inquiries concerning which 862
further study is needed, and second, to consult with 863

administrators, faculty members, and students on what progress 864
has been and is being made by the academic communities in 865
resolving their own problems. In addition, the committee intends 866
to acquire immediate and first-hand knowledge with respect to 867
any campus disorder which may occur. If in the course of its 869
continuing inquiries the committee determines that legislation 870
is urgently needed to correct any problems or prevent disorder 871
and prosecute offenders, it will request the Governor to call 872
a special session forthwith.